



DEP INFORMATION SHEET

Hydropower Relicensing

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Introduction

The relicensing of hydroelectric generating and water storage dams in Maine provides a once-in-a-lifetime opportunity to shape the destiny of our river resources.

Hydropower Licensing

Hydropower projects are licensed by the Federal Energy Regulatory Commission (FERC) which has jurisdiction over all generating and storage dams on navigable waters. Projects on non-navigable rivers that have undergone post-1935 construction and affect interstate commerce (as through an inter-connection with a public utility power grid) also fall under FERC's control. Licenses are valid for 30 to 50 years and must then be renewed.

102 hydropower dams are now licensed in Maine. These have a combined installed generating capacity of over 743 megawatts (roughly equivalent to one nuclear power plant), as well as billions of cubic feet of water storage capacity. An additional 27 small-scale hydro projects have an exemption from licensing.

Relicensing Activity in Maine

Since 1979, 55 Maine hydropower dams have been relicensed. Another 11 dams are currently pending for relicensing, with more dams due for relicensing in coming years. And one dam—the Edwards Dam in Augusta—has been removed after relicensing was denied by FERC. See the reverse side of this sheet for a table of license expirations in Maine.

The State's Role in Relicensing

In order for a hydropower project to be relicensed by FERC, the State must first certify that continued operation of the project will comply with Maine's water quality standards. These standards relate to the waterbody's physical characteristics (e.g., minimum dissolved oxygen levels) as well as its designated uses (recreation, fishing, aquatic habitat, etc.). Existing in-stream uses must be protected under the State's "antidegradation" policy.

By Executive Order of the Governor, DEP is the certifying agency for all hydropower project licensing and relicensings statewide, except for projects in unorganized territories subject to permitting by the Land Use Regulation Commission.

Through the water quality certification process, the DEP has imposed various conditions on projects undergoing relicensing to ensure that State water quality standards are maintained. Typical conditions include minimum flow releases, allowable

impoundment drawdowns, construction of public boat ramps, canoe portage trails, and other recreational facilities, and construction of new or improved fish passage facilities.

The DEP can regulate in another way as well. Any proposed relicensing that calls for the expansion of an existing dam or generating facility must be approved under the Maine Waterway Development and Conservation Act. This statute requires an evaluation of the full range of potential impacts, including impacts on wetlands, water quality, soils, fish and wildlife resources, historic and archaeological sites, public access, flooding, and energy generation.

Federal Role in Relicensing

To issue a license under the Federal Power Act, originally enacted in 1920, FERC must find that a project is "best adapted to a comprehensive plan for improving or developing a waterway." The Electric Consumers Protection Act of 1986 directs FERC to consider power and non-power uses in making this determination. Specifically, FERC must give "equal consideration to the purposes of energy conservation, the protection, mitigation of damage to, and enhancement of fish and wildlife, the protection of recreational opportunities, and the preservation of other aspects of environmental quality."

The Relicensing Process

Relicensing begins with a 3-to-5 year pre-application consultation process during which applicants, agencies and other interested parties identify environmental issues, address information needs, and explore mitigation options. Any necessary studies are then conducted, and a draft application is prepared for review and comment.

Federal law requires that a final application for relicensing be filed with FERC no later than 2 years prior to license expiration. If necessary, FERC will issue annual extensions of the license until the relicensing process is complete.

Conclusion

Hydropower relicensing will greatly affect the character of the State's river resources for the next generation. DEP is committed to working with other agencies and the public to achieve a carefully considered balance among competing uses and resources, a balance that will enhance environmental values while encouraging the wise multiple use of Maine's rivers.

LICENSE EXPIRATION	PROJECT/DAM	RIVER
1985	Orono*	Stillwater
1993	Gulf Island*	Androscoggin
	Deer Rips*	Androscoggin
2000	Forest City*	St. Croix
	West Grand Lake*	St. Croix
	Sysladobsis Lake*	St. Croix
	Howland*	Piscataquis
2002	Great Works*	Penobscot
2004	Lockwood*	Kennebec
	Eel Weir*	Presumpscot
2005	Bar Mills	Saco
2012	Brassua	Moose
2016	Vanceboro	St. Croix
2017	Williams	Kennebec
	West Buxton	Saco
2018	Mattaceunk	Penobscot
	Ellsworth	Union
	Graham L.	Union
2019	Lower Barker	L. Androscoggin
	American Tissue	Cobboosecontee
2020	CMP Dam	Goose
	Mill Dam	Goose
	Kelly Dam	Goose
	Mason Dam	Goose
	Swan L.	Goose
2021	Shawmut	Kennebec
	Squa Pan	Squa Pan
	Rollinsford	Salmon Falls
	Somersworth	Salmon Falls
2022	Hiram	Saco
	Great Falls	Salmon Falls
	Pejepscot	Androscoggin
	Kesselen Dam	Mousam
	Twine Mill Dam	Mousam
	Dane Perkins	Mousam
2023	Errol	Androscoggin
	Upper Barker	L. Androscoggin
	Pumpkin Hill	Passadumkeag
2024	West Enfield	Penobscot
	Upper Rumford Falls	Androscoggin
	Lower Rumford Falls	Androscoggin
	Hackett Mills	L. Androscoggin
	Green Lake	Union
2025	Worumbo	Androscoggin
	Aziscohos	Magalloway
2026	Lewiston Falls	Androscoggin
	North Twin	Penobscot
	Millinocket	Penobscot
	Dolby	Penobscot
	East Millinocket	Penobscot
	Millinocket Lake	Penobscot
	Ripogenus	Penobscot
	Upper Andro	Androscoggin
	Eustis	Dead

LICENSE EXPIRATION	PROJECT/DAM	RIVER
2029	Brunswick	Androscoggin
	Medway	Penobscot
	Cataract	Saco
	Spring/Bradbury	Saco
2030	Upper Kezar Falls	Ossipee
	Lower Kezar Falls	Ossipee
2033	Damariscotta	Damariscotta
2034	North Gorham	Presumpscot
	Benton Falls	Sebasticook
2036	Messalonskee Lake	Messalonskee
	Oakland (M2)	Messalonskee
	Rice Rips (M3)	Messalonskee
	Automatic (M4)	Messalonskee
	Union Gas (M5)	Messalonskee
	Hydro-Kennebec	Kennebec
	Weston	Kennebec
	Wyman	Kennebec
	Ft. Halifax	Sebasticook
	Flagstaff Lake	Dead
	Harris	Kennebec
	Moosehead Lake	Kennebec
	Sandy River	Sandy River
2037	Burnham	Sebasticook
2037	South Berwick	Salmon Falls
	Marcal	L. Androscoggin
2038	Skelton	Saco
	Bonny Eagle	Saco
	Milford	Penobscot
	Stillwater	Stillwater
2043	Saccarappa	Presumpscot
	Gambo	Presumpscot
	Mallison Falls	Presumpscot
	Little Falls	Presumpscot
	Dundee	Presumpscot
2044	Millinocket Lake	Aroostook
	Caribou	Aroostook
2048	Riley	Androscoggin
	Jay	Androscoggin
	Livermore Falls	Androscoggin
	Otis	Androscoggin
2052	Mooselook-meguntic Lake	Rapid
	Richardson Lake	Rapid
2054	Anson	Kennebec
	Abenaki	Kennebec
	Canada Falls Lake	Penobscot
	Seboomook Lake	Penobscot
	Ragged Lake	Penobscot
	Caucomgomoc Lake	Penobscot

* Currently operating under annual license.